

REMARKS

Claims 1-15 are all the claims presently pending in the application. Claims 1, 6 and 11 have been amended to more particularly define the invention.

It is noted that the claim amendments are made only to assure grammatical and idiomatic English and improved form under United States practice, and are not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-15 stand rejected under 35 U.S.C. §103(a) as being obvious over Yi (U.S. Patent 7,003,040) in view of Imagawa et al. (U.S. Patent Application Publication No. US 2002/0031262). The title of the invention is objected to as not being descriptive.

The rejection is respectfully traversed in the following discussion.

THE CLAIMED INVENTION

The claimed invention is directed to a cellular telephone set capable of self-producing animation, a method for producing animation in the cellular telephone set, and a computer program which causes the method to be executed. The cellular telephone set has a display screen which is capable of displaying images. The display screen simultaneously displays an Image Display Screen and a Frame Display Screen. The Image Display Screen simultaneously displays one or more (up to twelve in the preferred embodiment) still images in thumbnail form so that the contents of the images may be seen at a glance. The Frame

Display Screen simultaneously displays one or more (up to six in the preferred embodiment) still images for animation display per frame number in thumbnail form. The still images displayed on the Frame Display Screen are selected on the simultaneously-displayed Image Display Screen.

In a conventional cellular telephone with display screen, pictures or images may be stored. The phone may be capable of displaying multiple pictures or images sequentially as an animation. The phone may have a digital camera installed which can take pictures and store them in the cellular telephone for later viewing. A cellular telephone with digital camera installed may be capable of photographing a series of pictures or images sequentially as a set and displaying them individually or as an animation. The pictures taken by the consecutive photographing function may also be displayed as thumbnail images. The pictures or images taken by the consecutive photographing function are taken as a set and registered as one animation; thus, low quality pictures due to blurring of pictures from an unsteady hold on the camera can be inherently registered.

The claimed invention, on the other hand, provides a means and method to overcome the drawbacks to self-producing animation in the conventional cellular telephone handset with animation display function. The claimed invention provides an Image Display Screen and Frame Display Screen simultaneously displayed, so that the user may easily view images or pictures available and images or pictures in an animation at the same time, and can thus select images or pictures to be included in or removed from an animation at any point in the animation. The user can also see multiple frames of the self-produced animation displayed simultaneously on the Frame Display Screen as images or pictures are added to or removed

from frames of the animation, to visually appreciate the transition of the animation frames.

OBJECTION TO THE SPECIFICATION

The title stands objected to as not being descriptive. A new title is submitted consistent with the Examiner's suggestion. Applicant respectfully requests withdrawal of the objection to the specification.

THE 35 U.S.C. §103(a) REJECTIONS

The Imagawa Reference

The Examiner alleges that Imagawa teaches the feature of displaying still images in thumbnail form so that the contents of images can be seen at a glance, at Fig. 4, page 2, para. [21]-[26], and page 6, para. [107]. Imagawa Fig. 4 discloses a diagram for illustrating a clipping process applied to certain moving image data; the images in Fig. 4 are not thumbnails simultaneously displayed, but rather are moving image frames recorded in a time sequence. Imagawa, p. 5, para. [85]-[87]. Imagawa discloses a method for automatically extracting image data from a series of images. "A frame selecting step selects a part of the image sequence between time points determined as the user facing the predesignated direction in the front determining step by scanning the image sequence from a start point to an end point, and from the end point to the start point." Imagawa, p. 2, para. [24]. Further, Imagawa p. 6, para. [107] discloses only a single thumbnail image; "To be more specific, assuming a case where the user first sees a still image (e.g., a preview image, thumbnail image) showing what moving images are coming or already in storage. Here, such a still image is now referred to as an initial display image." Imagawa fails to disclose displaying multiple thumbnails of pictures or images such that the user can see their contents at a glance,

let alone two sets of still images as described in the independent claims.

The Yi Reference

In regard to claim 1, the Examiner alleges that Yi teaches a cellular telephone set capable of displaying still images on screen (fig. 2-3; col. 2, lines 47-65); displaying an Image Display Screen (fig. 2-3); and a Frame Display Screen selected on the Image Display Screen for animation display per frame number form[ed] simultaneously with each other [on] a display screen (fig. 2-3; col. 10, lines 9-18).

Yi fails to teach or suggest an Image Display Screen displaying still images in thumbnail form so that the content of the images can be seen at a glance. Instead, Yi teaches only a display screen (fig. 2-3).

Yi fails to teach or suggest a Frame Display Screen displaying still images selected on the Image Display Screen for animation display per frame number in thumbnail form. Instead, Yi teaches display of an animation or of a single image on the display screen. "This involves retrieving the stored media information and displaying it for a predetermined period of time. If the media information is a video script, for example, the script may be played until its conclusion." Yi, col. 7, lines 43-47. "Also, the receiving terminal may be equipped with image-capture software that will allow a single frame (or image) from a received video stream to be stored and subsequently displayed." Yi, col. 10, lines 15-18. Yi is silent on having a Frame Display Screen which displays frames of an animation per frame number as still images. Yi is silent on the frames displayed in the Frame Display Screen being selected on the Image Display Screen.

Yi fails to teach or suggest the display screen displaying the Image Display Screen

and the Frame Display Screen simultaneously with each other. As discussed above, Yi fails to teach or suggest the Image Display Screen and also fails to teach or suggest the Frame Display Screen.

The Examiner alleges that *“Both Yi and Imagawa teaches still image display cell phone, then, it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to store thumbnail form consecutive image in the Yi system, as evidenced by Imagawa, in order to, in an organized manner, easy [sic] to manage the consecutive frames of photographs at the display by selecting a frame of photo for view.”*

However, no citation is made to any reference which teaches or suggests combining Yi with Imagawa or any other reference to include all features of independent claim 1. Such teaching or suggestion to combine must be found in the prior art to support an obviousness rejection. Thus, such reasoning constitutes impermissible hindsight use of Applicant's disclosure.

Neither Yi nor Imagawa teach or suggest two sets of thumbnail images, as described by the plain meaning of the claim language of the independent claims.

Hence, turning to the clear language of the claims, in neither Yi nor Imagawa is there a teaching or suggestion of: “... an image display screen displaying still images in a thumbnail form ... and ... a frame display screen displaying still images selected on the image display screen for animation display per frame number in thumbnail form, ... simultaneously with each other,” as required by claim 1.

Thus, as discussed above, Applicant submits that Yi, either alone and if combined with Imagawa, fails to teach or suggest all features and limitations of independent claim 1,

and that no citation has been shown to any teaching or suggestion in the prior art to combine Yi with Imagawa. Therefore, Applicant respectfully requests withdrawal of the 103(a) rejection of independent claim 1.

Claims 2-5 are dependent on independent claim 1 and inherit all features and limitations thereof. Applicant respectfully requests withdrawal of the 103(a) rejections of claims 2-5, for at least the reasons discussed above.

Claims 6-10 recite a method with features and limitations substantially similar to those of claims 1-5 discussed above. Yi, either alone or in combination with Imagawa, fails to disclose all features of independent claim 6. Further, no citation is made to any reference in the prior art which teaches or suggests combining Yi with Imagawa or with any other reference to include all features and limitations of independent claim 6. Thus, for substantially similar reasons as to those discussed above with regard to claims 1-5, Applicant respectfully requests withdrawal of the 103(a) rejections of claims 6-10.

Claims 11-15 recite a computer-executable program stored in a cellular telephone with features and limitations substantially similar to those of claims 1-5 discussed above. Yi, both alone and in permissible combination with Imagawa, fails to disclose all features of independent claim 6. Further, no citation is made to any reference in the prior art which teaches or suggests combining Yi with Imagawa or with any other reference to include all features and limitations of independent claim 11. Thus, for substantially similar reasons as to those discussed above with regard to claims 1-5, Applicant respectfully requests withdrawal of the 103(a) rejections of claims 11-15.

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CONCLUSION

In view of the foregoing, Applicant submits that claims 1-15, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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Donald A. DiPaula, Esq.
Registration No. 58,115

Sean M. McGinn, Esq.
Registration No. 34,386

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817